



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

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Ref: 8OC

July 21, 2010

Response to emails from: Michelle Hartly (filmwest@gmail.com), Susan Rios (five_rivers@ymail.com), Gordon Sullivan (gordsull@yahoo.com), and D.C. Orr (xcav8orr@hotmail.com)

Since June 8, 2010, EPA staff and managers have received many email strings from the email addresses above. Those e-mails raised a number of concerns about the work occurring at the Libby site. After consulting with EPA staff and managers, I, in my capacity as Regional Public Liaison, am responding to those questions or concerns. This is in keeping with our commitment to involve the affected public in all of our work in Libby.

I have grouped the responses into categories.

Operable Unit 1 – Former Export Plant/Riverside Park

** A number of issues were raised about the potential risks to those who use Riverside Park and the steps to prevent public contact with asbestos at that location. Several emails focused on possible risks to concert goers. Other concerns centered on activities at the park that might result in encountering asbestos if soil is disturbed below the surface.*

The city allows casual uses of the park, such as family gatherings, weddings, and concerts. EPA has determined that there is not an unacceptable risk of exposure to casual users of the park. As a conservative measure, EPA has delineated certain areas of the site where visible vermiculite may be present with temporary barrier fencing. Vehicular traffic in those areas is discouraged to minimize the potential for spreading vermiculite.

A concert held in June took place in an area that had been previously cleaned in compliance with EPA's protocols. EPA is presently working with those who are planning an upcoming concert to ensure that the event is sited in an area where all response actions have already taken place.

There is an area near the boat ramp where suspect materials have been covered with six inches of clean fill and a barrier has been placed to delineate the transition zone. Cleanup of this area, along with the rest of the former Export Plant, is planned for the fall of 2010.

* *Concern was raised about the way in which the city's water line was installed through the park.*

EPA informed the City of Libby, which owns the park, of the location of visible vermiculite, and provided sample and investigation results of areas of concern in OU1. In a letter agreement between EPA and Libby City Council, signed June 12, 2007, the city agreed to notify EPA prior to any intrusive activities that may disturb soil at depth. If it is determined that contaminated soil will be encountered, EPA has agreed to work with the city to develop a work plan to protect city workers and the environment.

EPA coordinated with the City Administrator, city crew, engineering firm and construction contractor to assist the city with the extension of the water line in OU1. EPA excavated two portions of the trench through suspected or known areas of contamination to ensure that the work was performed in compliance with our protocols. The city excavated the connecting portion of the line that runs parallel to the river. EPA's contractor staff and the city's crew excavating the trenches did not cross contaminate the site, nor did they track vermiculite or asbestos off site. Throughout the water line project, EPA was available to provide oversight, respond to questions or offer additional assistance for any work where the city might have encountered vermiculite or asbestos contamination. The city hired a contractor to install the distribution and service water lines. EPA responded to all questions from the city's engineering firm and contractor and offered to respond to any future questions or needs.

* *Several questions were asked about the current status of OU1 and when it will be cleaned up.*

In the Remedial Investigation, EPA identified a portion of OU1 where park workers are at risk from exposure to asbestos. Based on this Remedial Investigation, in May 2010 EPA and the Montana Department of Environmental Quality selected a remedy. EPA plans to implement the remedy this fall.

In the meantime, EPA has taken a number of removal actions to reduce the potential for public contact with visible vermiculite in OU1. The parking area has been expanded so people can park in a place where potential exposure has been reduced by capping visible vermiculite. As an interim measure to reduce the likelihood of exposure until the OU1 remedial action takes place, EPA has placed six inches of clean fill over some areas of visible vermiculite. Barrier fencing has been installed to delineate areas of visible vermiculite and signs will be placed on the fencing to further inform park users to avoid the fenced area. This fencing also limits the potential for cross contamination between areas of the site where response actions have already been conducted and those areas of the site where residual asbestos contamination may remain in surface soil.

We are designing the remedial action right now and working with the city to incorporate their plans for Riverside Park with our remedial action plan. Comprehensive remediation of the Riverside Park (OU1) is planned for fall 2010 after an agreement with the City on the

remediation is completed. Construction is scheduled to be completed this fall. A post-construction risk assessment will be performed in 2011.

For more information on the planned remedial action, please see the OU1 Record of Decision and response to comments posted on the Libby web site.

Records of Decision for Operable Units 1 and 2

* *Several emails questioned EPA's decision to proceed with Records of Decision for Operable Units 1 and 2.*

We recognize that our decision to finalize records of decision attracted both support and concern from Libby residents. These comments from EPA in the Responsiveness Summary attached to the Records of Decision for Operable Units 1 and 2 were intended to address those concerns:

"EPA continues to study the effects of Libby Asbestos contamination on human health and the environment. While these important studies are underway, current findings indicate that it is necessary to move forward with a remedy at OU1 to prevent continued exposure to Libby Asbestos. This remedy will address both surface and subsurface soil. The approach will also provide institutional controls and define maintenance requirements for any subsurface contamination left in place.

Following implementation of the remedy, EPA will conduct a quantitative risk assessment, including ABS and new Libby-Amphibole-specific toxicity factors, to confirm the effectiveness of the remedy. If unacceptable exposures are identified, EPA will take the necessary action to ensure that the soil-to-air exposure pathway is broken.

Remedies selected in RODs are continually subject to modification based on new information. EPA will evaluate the effectiveness of the remedy at least every five years to ensure protectiveness. These routine evaluations will include any new information gained from on-going Libby Action Plan investigations. In addition, when the site-wide risk assessment is complete, the agencies will re-evaluate the remedy in accordance with the review requirements in CERCLA Section 121 (c)."

For more information see the OU1 and OU 2 Records of Decision and Responsiveness Summaries posted on the Libby web page. www.epa.gov/region8/superfund/libby/

Operable Unit 4 - Vermiculite Removal /Libby Residential and Business Properties

* *EPA identified a question in the emails about whether or not property owners whose homes had been addressed through removal actions had been notified that there was the potential that EPA may have to revisit their property once final cleanup decision are made.*

The answer to that question is, yes, this topic has been discussed in a number of public

meetings. In addition, letters sent to homeowners after current removal work is completed discuss the possibility that EPA may return to the property for additional sampling and cleanup.

* *A questioner asked about the impact of the Superfund designation and future institutional controls on property values in Libby.*

This response is based on a response we provided in June 2009:

When a site is listed on the NPL there can be many uncertainties associated with 1) potential human health risks, 2) what response actions may be required and how the cost of those response actions will be borne, and 3) overall perception within the community as to the values of properties within the Superfund site boundary. Selection and implementation of remedies provide certainty. EPA will proceed to select remedies (that will likely include institutional controls), implement those remedies, and ultimately delete the Libby Asbestos Site from the National Priorities List. (Portions of the site can be deleted from the NPL as response actions are completed.)

There are many factors that influence property values. EPA has anecdotal information indicating that NPL listing can have an impact on residential property values, but the impacts can vary greatly in both magnitude and direction. Implementation of a selected remedy including institutional controls protecting the cleanup will provide certainty about adverse environmental conditions on a property, but it is not possible to predict how values of individual properties might be affected over time. Experience has shown EPA that property values tend to rebound once a Superfund response action is complete and the site has been deleted from the NPL.

* *A question was raised in an email about EPA's priorities in cleanup. The questioner asked why EPA was addressing the Hotel Libby before Riverside Park or the elementary school.*

Removal actions were completed at all schools in Libby in 2002. Recent activity based sampling results are available on the EPA Libby web site and a report that will be issued soon will also be posted on the web site. According to EPA's current protocols, Libby Elementary School does not need to be cleaned up. EPA is conducting an additional soil investigation at the schools to identify any areas that meet removal criteria triggers. Final risk management decisions will be addressed in the ROD for OU4. In the meantime, the Environmental Resource Specialist program will respond to any incidents at the school that expose site contaminants. EPA will release the report on ABS in schools soon. Once released, it will be placed on EPA's Libby web page.

EPA cleaned up the Hotel Libby earlier this year than was originally planned because contractors could work in it while weather was still too inclement for outdoor response work at other properties. The expedited cleanup of the hotel facilitated the owner's desire to redevelop the property as well.

EPA has taken a number of interim actions to reduce the potential for public contact with vermiculite in Riverside Park. Comprehensive remediation of the park (OU1) is planned for fall

2010 after an agreement with the City on the cleanup is completed.

* *We received an email asking questions about the cleanup of residential properties.*

Below is a summary answer for these questions:

Properties with detectable levels of Libby Amphibole remaining at the surface are depicted on Figure 4-6 of the OU4 Remedial Investigation Report which is available for viewing at the EPA Information Center. This information was updated as of 12-31-09. The sample results used to create this figure come from properties where there was a partial removal action (that is, trace or < 1 % Libby Amphibole was left in place or a quick response was performed on a localized area), properties where additional soil samples were collected after the removal action was completed, and properties where a removal action has not yet taken place.

The OU4 Remedial Investigation will be updated annually until the risk assessment for OU4 is completed.

Approximately 8-10 property owners have contacted EPA about mold in attics. EPA notifies homeowners when poor attic ventilation is identified in homes undergoing remediation.

Supporting documentation regarding the safety of the Asa Wood Elementary School playground is contained in the report on ABS in schools that will soon be released.

Risk

* *A questioner asked about the safety of ambient air in Libby and asked about the availability of sampling results.*

On February 8, 2010, EPA staff discussed sampling results for Libby schools and ambient air in Libby at a public meeting. At that meeting the results of ambient air monitoring from before 1990 through 2008 were discussed. Outdoor air levels of Libby Asbestos have been significantly reduced since 1999. Libby Asbestos will likely remain at low levels in the Libby valley for the foreseeable future. Levels detected are within target levels used at Superfund sites. All Libby Asbestos data related to decision-making is available to the public in final study reports that are posted on the site web page. The Summary of Ambient Air Monitoring for Asbestos at the Libby Asbestos Site, dated February 9, 2009, is posted on the EPA Libby web page

After a soil removal has been completed in homes and businesses and before a property is back-filled with replacement soil, the excavated area is sampled for asbestos and visual inspections are performed. For interior cleanups, aggressive air clearance sampling is conducted in the attic and living space of homes. Data from individual properties is not made available to the public; however, EPA does share these results with the property owners.

* *Some emails contained requests that the final risk assessment be completed before more*

cleanup decisions are made.

As noted above, we recognize that residents in Libby and the surrounding area have varied views on these issues. However, EPA's goal in moving forward is to eliminate the pathway of exposure in order to reduce risks to human health. Nevertheless, as noted in EPA's Responsiveness Summary:

"EPA continues to study the effects of Libby Asbestos contamination on human health and the environment. While these important studies are underway, current findings indicate that it is necessary to move forward with remedies at OU1 and OU 2 to prevent continued exposure to Libby Asbestos. These remedies will address both surface and subsurface soil. The approach will also provide institutional controls and define maintenance requirements for any subsurface contamination left in place.

Following implementation of the remedy, EPA will conduct a quantitative risk assessment, including ABS and new Libby-Amphibole-specific toxicity factors, to confirm the effectiveness of the remedy. Remedies selected in RODs are continually subject to modification based on new information. EPA will evaluate the effectiveness of the remedy at least every five years to ensure protectiveness. These routine evaluations will include any new information gained from on-going Libby Action Plan investigations. In addition, when the site-wide risk assessment is complete, the agencies will re-evaluate the remedy in accordance with the review requirements in CERCLA Section 121 (c)"

** Several emails focused on illnesses in Libby in the past 10 years and asserted that individuals who moved to Libby after the cleanup began have developed rare illnesses, asbestos related autoimmune disorders, cancer, or lost their lives.*

We very much regret that these individuals have become ill and we wish them the best.

However, it is often both difficult and time-consuming to draw links between illness and causation. Illnesses associated with higher levels of asbestos exposure require a number of years to develop. It is not uncommon for asbestos-related disease to take 15-20 years before noticeable symptoms appear. Many more years are sometimes required before the disease is fully expressed.

As part of the Libby Action Plan research effort, EPA is investigating the potential for Libby Asbestos to cause autoimmune-related disorders. These projects are currently underway. These studies are investigating new areas of health-related effects of asbestos. Since this is a new avenue of research, definitive answers concerning the potential for a "cause and effect" relationship between Libby Asbestos and autoimmune diseases will not be available in the immediate future.

The occurrence of autoimmune diseases and cancer is not unique to Libby. The determination that someone who recently moved to Libby later expressed those kinds of diseases does not necessarily imply that their disease is linked to exposures to asbestos in Libby. It would

only be after a thorough examination of their medical history that a determination of causality might be assumed to be true. EPA is not aware of the existence of that information or the identification of that patient population. If those patients have been identified by the CARD Clinic or other medical institutions in Libby, and their medical histories can be documented, it would help the EPA make determinations concerning the adverse health effects related to asbestos exposures in Libby.

Relocation

* *One email was received asking questions about the possibility of relocation.*

OSWER Directive 9355.0-71P, Interim Policy on the Use of Permanent Relocations as part of Superfund Remedial Actions, provides the criteria for evaluating permanent relocations of residents. The policy states that "Generally, the primary reasons for conducting a permanent relocation would be to address an immediate risk to human health (where an engineering solution is not readily available) or structures are an impediment to implementing a protective cleanup." EPA believes that because engineering controls are available to address immediate risk to human health, this criterion is not met in Libby.

* *A questioner asked if there were any special conditions under which only a portion of homes in a particular operable unit would be eligible for relocation.*

At this time, EPA is not considering relocation for the reasons provided above. However, EPA has removed structures on properties that cannot be safely decontaminated to levels that are protective of human health. Generally, the property owner has rebuilt after the cleanup was completed.

EPA's Contractors

* *A number of concerns were expressed in the emails about the practices of the contractors conducting site removal actions. Concerns included drug and alcohol use on the part of workers, oversight of contractors and contractor's safety practices.*

Regarding concerns about drug and alcohol use, EPA will not tolerate behavior on Superfund sites that might endanger the health and safety of site workers or the public. The Agency does not condone use of illegal drugs and alcohol on Superfund cleanups. EPA has brought this complaint to the attention of the contractor. EPA expects contractors to deal with violations of conduct on the part of their employees. Individual personnel actions, however, are part of an employee's confidential personnel record.

There are several levels of oversight of contractors at the site. First, the contractor has supervisors who are responsible for directly overseeing workers. Second, the US Army Corps of Engineers oversees the cleanup contracts. Finally, EPA project staff also oversee the work.

EPA responded to questions about dust suppression and trucks driving through town in an

email to Ms. Hartly from Carol Campbell dated November 9, 2009: "The contractor takes several actions to prevent its trucks from dropping contaminated material. The material in loaded haul trucks is wetted down and the truck beds are covered to prevent releases of dust or contaminated material during transport to the disposal site. The truck beds are also sealed to prevent leakage. Haul trucks are washed down prior to leaving a cleanup site and again when they leave the disposal area." A portion of the updated version of the Response Action Work Plan, which provides more comprehensive discussion of these work practices, is included with this response.

* *Another questioner asked if EPA had kept its promise to conduct ambient air monitoring at the contractor's equipment storage yard.*

Six ambient air monitoring stations have been established throughout Libby including one in the ER yard. Sampling began in May 2010. Data have been collected and will be provided to the public after it has been validated.

Future Contracting Opportunities

* *One questioner asked how EPA is notifying potential contractors of upcoming bidding opportunities.*

The Army Corps of Engineers will be issuing two solicitations for EPA to conduct work at the Libby Asbestos Superfund Site. The first solicitation will be for engineering services for the removal and remedial actions at the site. The second will be for environmental construction services to conduct the removal of asbestos contamination. Both of these solicitations will be advertised in the FedBizOpps web page (<https://www.fbo.gov/>). The current schedule plans for both of these contracts to be in place for the 2011 construction season.

Communication and Public Involvement

* *Several email exchanges were critical of EPA's community outreach and involvement.*

EPA and Montana Department of Environmental Quality are committed to involving the Libby community in the cleanup process at the site. Aspects of the Libby community involvement effort have been featured in the Office of Solid Waste and Emergency Response's Community Engagement Implementation Plan, a part of EPA's Open Government Plan. In the area of transparency, site documents are posted on the web page and are available in the Libby Information Center. The Libby site team collaborated with the city on a number of economic development projects including producing several economic development workshops and facilitating bringing new businesses to Libby by providing information about specific properties and expediting cleanup work on those properties. Currently the Agency is incorporating the city's plans for Riverside Park in the OU1 remedial design. EPA's contractor trains and employs Libby residents in the site cleanup. The Agency has an Environmental Resource Specialist on call to assist citizens who may encounter vermiculite in their homes and businesses.

The Libby team provides numerous opportunities for community involvement in the decision-making process. Members of EPA staff meet monthly with a wide range of stakeholders including the City Council, Lincoln County Commissioners, Community Advisory Group, Chamber of Commerce, Congressional staff, Technical Assistance Grant Recipient, City/County Health Board, Healthy Communities Initiative and Operations and Maintenance Work Group. The site team schedules quarterly community meetings focusing on current topics. Citizens also may drop by the Libby Information Center to talk with the EPA on-site project manager.

In an effort to more broadly share our responses to questions we receive from Libby citizens, we plan on adding a more extensive question and answer section on the site web page. We expect this section to be in place in August.

While the Agency cannot always do what each stakeholder requests, EPA incorporates public input into its decisions whenever it is possible to do so. For example, in response to concerns expressed during the comment period on the OUs 1 and 2 Proposed Plans about issuing a cleanup decision before a final risk assessment, EPA committed to perform a quantitative risk assessment following completion of the remedial action at OUs 1 & 2. This risk assessment will include ABS sampling and new Libby-Amphibole-specific toxicity factors that will be available by that time. Other examples of responding to public requests include remediating the golf course at an earlier date than initially planned, switching from sod to hydroseed at the request of residents who were concerned about the cost of watering sod, and consulting with advocacy groups like Trout Unlimited when working on creek banks.

* *We received one email expressing displeasure at the three minute limit placed on questions/comments at public meetings.*

In order to give all attendees at EPA meetings an opportunity to ask questions, make comments and receive responses from EPA, we initially limit each person's time to ask their questions or make their statements to three minutes. When all attendees have had a chance to speak, those who have already spoken have an additional opportunity to speak.

* *Several emailers were disturbed about a presentation that EPA staff made on social marketing at a national conference and about the use of social marketing techniques in Libby.*

Social marketing is the application of marketing concepts and techniques to achieve specific behavioral goals for a social good. A classic example of social marketing was the US Forest Service's campaign to prevent forest fires using Smokey the Bear as a mascot and employing the message "Only You Can Prevent Forest Fires." Other recent examples of national social marketing campaigns include public service announcements aimed at preventing texting and driving and publications and commercials focused on stopping the use of methamphetamines by teenagers. EPA uses social marketing techniques at Superfund sites, such as Libby, to help those living in the area avoid behaviors that would cause them to be exposed to contaminants. For example, EPA has produced brochures showing Libby residents and contractors how to avoid exposure to Libby Asbestos if they engage in remodeling projects. A pamphlet has been

produced for school children to help them understand how to identify and avoid vermiculite should they encounter it. A number of years ago, EPA also placed public service announcements on radio stations in Libby promoting smoking cessation because smoking exacerbates asbestos related diseases.

There has been some misunderstanding about a presentation that an EPA community involvement coordinator and project manager made at a national community involvement conference. In this presentation the presenters discussed community involvement activities in Libby and community involvement techniques used at many Superfund sites that might be considered social marketing. The focus of the talk was on how we try to persuade communities to adopt behaviors that will help them protect themselves from exposure to hazardous substances.

The Superfund community involvement effort in Libby is extensive. The site team understands that community engagement must be flexible and tailored to Libby's specific information and involvement needs. The team welcomes suggestions of additional ways for it to meet the community's desire to be engaged the Superfund process in Libby. EPA staff members have offered to meet with you and stand by that offer. Please let me know if you would like to arrange a meeting.

EPA is both obligated and committed to respond to questions and complaints received from the public. In order to expedite EPA's future response to your questions, we urge that you place your questions or complaints in a separate document succinctly describing the concern and, if available, including relevant documentation substantiating the complaint. In most cases, our response to substantive questions and concerns will be placed on a Q & A section of the Libby site web page that will be updated monthly.

Please address your future questions and complaints to me. I will coordinate the response. My contact information is:

Sonya Pennock, Regional Public Liaison
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Thank you for your continued interest in the Libby Asbestos Superfund site.

Sincerely,

Sonya S. Pennock
Regional Public Liaison

